

**IN THE DRAWINGS:**

Attached Replacement Sheet 1/8 includes change to Fig. 1. Replacement Sheet 1/8 replaces the original sheet that includes Fig. 1. In Fig. 1, the designation "Prior Art" has been added in accordance with the Examiner's instructions in the Non-Final Rejection dated July 24, 2008. No other substantive changes have been made to the drawings.

Attachment: Replacement Sheet 1/8

### **REMARKS/ARGUMENTS**

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-15 in the application. Claims 6 and 12-15 were cancelled pursuant to a first restriction requirement. Claims 7-11 were withdrawn pursuant to a second restriction requirement. Claims 1, 3-5, and 7-11 are amended herein and Claim 2 is cancelled without prejudice or disclaimer. New Claims 16-23 are presented. Claims 22 and 23 depend from withdrawn Claim 7, so is not subject to examination. Accordingly, Claims 1, 3-5, 7-11 and 16-23 are currently pending in the application, and Claims 1, 3-5 and 16-21 are currently subject to examination.

#### **I. Formal Matters and Objections**

The Applicants' representative verbally elected Claims 1-5, constituting Group 1, pursuant to a restriction requirement. This election is affirmed by this response.

The Examiner has objected to the drawings. Specifically, he requests that Figure 1 include the designation "Prior Art." A replacement sheet for Figure 1 is submitted herewith conforming to the requirement. The Applicants respectfully request that the Examiner withdraw the objection.

The Examiner notes that previously filed applications recited in the Application without application serial numbers should be specifically referenced. Paragraph [0001] is deleted herein,

obviating the Examiner's request for application numbers. The application serial numbers are submitted herewith under an Information Disclosure Statement.

## **II. Rejection of Claims 1-5 under 35 U.S.C. § 112**

The Examiner has rejected Claims 1, 2, 4 and 5 under 35 U.S.C. § 112, ¶ 1 as failing to enable other than a nanostructure. The Applicants have amended the claims without prejudice or disclaimer to refer only to nanostructures, thus obviating the Examiner's rejection. Accordingly, the Applicants respectfully request that the Examiner withdraw this ground for rejection of Claims 1, 2, 4 and 5.

The Examiner has rejected Claims 1-5 under 35 U.S.C. § 112, ¶ 2 as being indefinite. Specifically, he asserts regarding Claim 1 that the expression "of feature pattern" is unclear because "it is not known the relationship between the electrolyte liquid and the feature pattern." The Applicants respectfully submit that Claim 1 as amended herewith meets the requirements of 35 U.S.C. § 112, ¶ 2. Accordingly, the Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-5 and examine the claims on the merits.

### III. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1, 3-5 and 16-21.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT-GAINES, P.C.

A handwritten signature in black ink, appearing to read 'DHH', is written over the printed name of David H. Hitt.

David H. Hitt  
Registration No. 33,182

Dated: October 23, 2008

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